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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,853	05/31/2001	Sashikanth Chandrasekaran	50277-1653	1436
42425	7590	05/20/2005	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER/ORACLE 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110-1089			MCLEAN MAYO, KIMBERLY N	
			ART UNIT	PAPER NUMBER
			2187	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/871,853	CHANDRASEKARAN ET AL.
	Examiner	Art Unit
	Kimberly N. McLean-Mayo	2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 February 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 3-14, 17-27 and 30-41 is/are allowed.
- 6) Claim(s) 1,2,16,25,28 and 29 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/13/05.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. The enclosed detailed action is in response to the Amendment submitted on February 18, 2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 8-10, 15-19, 28-29, and 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by the submitted prior art Masden et al. (WOPN: 91/03024).

Regarding claims 1 and 28, Masden discloses sending from a requestor (Figure 2, any one of References 104, 106 and 110) to a master (Figure 2, Reference 202; server process) of the resource a lock mode request for a lock mode on the resource (Page 6, L 25-28); receiving the resource at the requestor from a holder (Figure 2, Reference 204 and 206) of the resource (Page 6, L 28-30), wherein the holder of the resource is separate and distinct from the master of the resource (the holder and master are separate and distinct processes within the same node); and accessing the resource as if the requestor had been granted the lock mode request without waiting to receive an express lock mode grant from the master (Page 6, L 30-32). Additionally, regarding claim 28, all hardware devices are controlled by software and thus it is evident that the above features are executed via instructions stored on a computer readable medium.

Regarding claims 2, 16 and 29, Masden discloses detecting that the step of receiving the resource at the requestor has occurred (Page 6, L 32-22 – when the unlock and close file instruction is received, it is detected that the requestor received the resource); and sending a lock assume message from the requestor to the master to inform the master that the requestor has assumed the lock mode relative to the resource (Page 6, L 32-33 – when the workstation sends an unlock instruction, the master is informed that the requestor had assumed the lock mode relative to the resource).

Regarding claim 15, Masden discloses a processor [processor within the file server]; a computer readable medium storing instructions [storage medium for storing controls instructions/code] which when executed by the processor causes the processor to perform the following: sending from a requestor (Figure 2, any one of References 104, 106 and 110) to a master (Figure 2, Reference 202; server process) of the resource a lock mode request for a lock mode on the resource (Page 6, L 25-28); receiving the resource at the requestor from a holder (Figure 2, Reference 204 and 206) of the resource (Page 6, L 28-30), wherein the holder of the resource is separate and distinct from the master of the resource (the holder and master are separate and distinct processes within the same node); and accessing the resource as if the requestor had been granted the lock mode request without waiting to receive an express lock mode grant from the master (Page 6, L 30-32).

Allowable Subject Matter

4. Claims 3-14, 17-27, 30- 41 are allowed.

Response to Arguments

5. Applicant's arguments filed February 18, 2005 have been fully considered but they are not persuasive.

Regarding Applicants argument with respect to claims 1, 15 and 28, the Applicant has indicated in the specification that the holder, master and requestor are separate processes, which may be on the same node or different nodes (Page 1, Lines 19-21). In Masden's system the file server incorporates separate processes as the holder and master; thus the master and the holder are separate and distinct.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 703-308-9592. The examiner can normally be reached on Tues, Thr, Fri (10:00 - 6:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KIMBERLY MCLEAN-MAYO
PRIMARY EXAMINER

Kimberly N. McLean-Mayo
Examiner
Art Unit 2187

KNM

May 13, 2005